

Assembly Bill No. 2202

CHAPTER 402

An act to amend Section 49704 of the Education Code, relating to the Interstate Compact on Educational Opportunity for Military Children.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2202, Block. Interstate Compact on Educational Opportunity for Military Children: task force: State Council.

Existing law ratifies the Interstate Compact on Educational Opportunity for Military Children to, among other things, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for the purpose of removing barriers to their educational success due to the frequent moves and deployment of their parents. The compact establishes the Interstate Commission on Educational Opportunity for Military Children ("Interstate Commission") to, among other things, provide for dispute resolution among member states, promulgate rules, and take other actions necessary for the administration of the compact. The compact requires each member state to establish a State Council or to use an existing body or board to provide for the coordination among its agencies of government, local educational agencies, and military installations concerning the state's participation in, and compliance with, the compact and activities of the Interstate Commission. Existing law authorizes the establishment, and specifies the membership, of the State Council in California.

Existing law, until January 1, 2013, requires the Superintendent of Public Instruction to reconvene a task force initially convened pursuant to a provision of existing law to review and make recommendations regarding the Interstate Compact on Educational Opportunity for Military Children. Existing law requires this task force to be reconvened on or after July 1, 2012, and on or before September 1, 2012, and to issue a final report of findings and conclusions on prescribed topics to the appropriate policy and fiscal committees of both houses of the Legislature no later than December 1, 2012.

This bill would authorize the Superintendent to convene the State Council to complete the work of the task force if the Superintendent finds it infeasible or impractical to reconvene the task force with its original membership. The bill also would require the final report to be submitted no later than December 1, 2013, and would extend the effective date of provisions regarding the task force and the State Council and their duties to January 1, 2014.

The people of the State of California do enact as follows:

SECTION 1. Section 49704 of the Education Code is amended to read: 49704. (a) (1) On or after July 1, 2012, and on or before September 1, 2012, the Superintendent shall reconvene, with its original membership to the extent possible, the task force that was convened pursuant to Section 2 of Chapter 589 of the Statutes of 2008 for the purpose of reviewing and making recommendations regarding the Interstate Compact on Educational Opportunity for Military Children.

(2) If the Superintendent finds it infeasible or impractical to reconvene the task force with its original membership, the Superintendent may convene the State Council, pursuant to paragraph (1) of subdivision (A) of Article VIII of Section 49701, in place of the task force, to complete the work of the task force in accordance with the timeline in subdivision (e).

(3) If the State Council assumes the duties of the task force pursuant to paragraph (2), the membership of the State Council pursuant to paragraph (2) of subdivision (A) of Article VIII of Section 49701 shall replace the membership of the task force that was required pursuant to Section 2 of Chapter 589 of the Statutes of 2008.

(b) The reconvened task force or the State Council convened pursuant to paragraph (2) of subdivision (a) also shall include the military family education liaison and the compact commissioner if the individuals serving in those roles were not members of the original task force.

(c) The reconvened task force or the State Council convened pursuant to paragraph (2) of subdivision (a) shall review the impact of the compact on California, its school districts and its pupils, and issue a final report regarding these impacts that includes, at a minimum, all of the following:

- (1) The impacts on children of military families.
- (2) The impacts on pupils who are not children of military families.
- (3) The impacts on schools and school districts.
- (4) The nature of interactions between California school districts and education agencies in other states.

(5) The nature of interactions between California, its schools and school districts, and the Interstate Commission on Educational Opportunity for Military Children.

(6) The extent and content of any regulatory or rulemaking actions taken by the Interstate Commission on Educational Opportunity for Military Children.

(7) The extent to which decisions made by the Interstate Commission on Educational Opportunity for Military Children have overridden or been in conflict with California law.

(8) Any unintended and unanticipated consequences to California, or its pupils, schools, or school districts, resulting from entering into this compact.

(9) Any costs to the state or to school districts, either as direct costs or as reimbursements of state-mandated local costs.

(d) A member of the task force or a member of the State Council convened pursuant to paragraph (2) of subdivision (a) is subject to each of the following requirements:

(1) He or she may use teleconferencing, telephone conferencing, or both.

(2) He or she shall not receive compensation for his or her services as a member of the task force or State Council or reimbursement for expenses for this purpose.

(e) A final report of findings and conclusions, including any recommendations for legislative action, if necessary, shall be submitted to the appropriate policy and fiscal committees of both houses of the Legislature no later than December 1, 2013. The report shall be concise and may be produced and submitted solely in electronic format.

(f) This section shall remain in effect only until January 1, 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.